

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

PAMELA K. BREITER,

Plaintiff,

v.

JOANNE B. BARNHART, Commissioner,  
Social Security Administration,

Defendant.

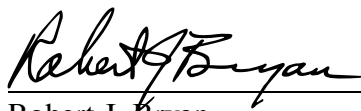
CASE NO. C04-5853RJB

ORDER

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Judge J. Kelley Arnold, United States Magistrate Judge, and objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) the ALJ erred in his decision as described in the report;
- (3) the matter is REVERSED and REMANDED to the Social Security Administration for an award or appropriate benefits; and
- (4) The Clerk is directed to send copies of this Order to plaintiff's counsel, defendant's counsel and Magistrate Judge J. Kelley Arnold.

DATED this 6<sup>th</sup> day of January, 2006.



Robert J. Bryan  
United States District Judge